

CREATING A DRUG-FREE WORKPLACE POLICY

A written drug-free workplace policy is one of the essentials of an effective program. Nevertheless,

employers interested in creating a policy for the first time share some common concerns.

WHY PUT THE POLICY ON PAPER?



A written policy helps both the employer and employees to focus on important details. Other reasons for putting the policy in writing include:

- It may be required—for example, by the Drug-

- It makes legal review possible.
- It provides a record of the employer's effort and a reference if the policy is challenged
- It may protect the employer from certain kinds of claims by employees.
- * A written policy is easier to explain to employees, supervisors,

Free Workplace Act or by an

CAN A POLICY BE BORROWED FROM SOMEONE ELSE?

If policies for similar organizations or work settings are available, it may not be necessary to develop one from scratch. Sample policies are likely to be found through a variety of sources: from other employers, through community alcohol and other drug organizations, or from CSAP's Workplace Helpline at 1-800-WORKPLACE, which can provide copies of sample policies. Before you adopt an existing policy, however, make sure it fits your organization and your priorities. Also, consider contacting the employer who wrote the policy to ask a few questions:

- Is the policy still in place?
- Has it been changed in any way? How? Why?
- What aspects of the policy have been most successful? Least successful?

- Have there been any implementation problems? How were they solved?

A borrowed policy may not contain everything you need. When modifying or adopting an existing policy, consider these questions before you start to cut and paste:*



Are there Federal, State, or local laws/regulations that apply to my workplace?

- Are any of my employees covered by the terms of a collectively bargained agreement?
- What philosophy and goals should the policy emphasize? Prevention? Punishment? Treatment?

*Adapted from "Guide for Drug Free Workplace Policy Makers: Issues, Options, and Models." Center for Substance Abuse Prevention, Substance Abuse and Mental Health Services Administration, U.S. Department of Health and Human Services, 1992.

- . Who will be covered by the policy? All employees? Employees in certain jobs? Consultants? Contractors?
- . What substances and behaviors will be prohibited?
- . Will the policy include any form of drug or alcohol testing?
- . When will the policy apply? During work hours? At events after hours?
- . Where will the policy apply? In the workplace? Outside the workplace while on duty? Off duty?
- . Who will implement and enforce the policy?

WHERE TO GO FOR HELP

Drug-free workplace groups and coalitions in your community may have model policies or be able to connect you with other employers who already have a policy or program in place. Since the Drug-Free Workplace Act was passed, many local and national programs have been set up to help employers create effective policies. Many of these programs were created by and for employers in your community. Finding these resources may take more than one telephone call or letter, since there may not be a centralized list in your State or local area:

- . Look in the phone book under your city or town's name and look for entries like "Drug-Free Business Initiative" or "Coalition for Drug-Free Workplaces."

“We are a small, family-owned company with many long-term employees. In the back of our minds, we always knew that if an employee had an alcohol or drug abuse problem we would do everything we could to help him or her find treatment, but we didn't have a written policy. Then one day someone who had been with our company for 3 years came to us about an alcohol problem. We realized that we didn't know where to send her or whether we could hold her job while she went for treatment. It motivated us to put our policy in writing. The process of formalizing the policy helped us look for more information about drug-free workplace programs, think about our options and procedures, and then tell our employees about the company's policy in case this happened again.”

Owner of a printing company

- . Call or write your State's office for alcohol and drug abuse services and ask if they have a list of groups in or near your community.

Call or write your local mayor's office, police department community relations office, office of economic development, or business relations office and ask if they have a list of coalitions.

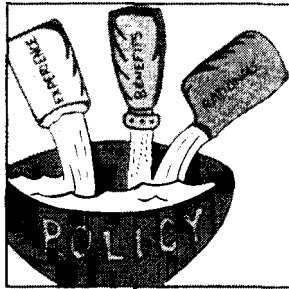
- . Call or write your State or local Small Business Administration and ask if they know of resources or consortia in your area.
- . Call or write your chamber of commerce or business, trade, or professional association and ask if they have services to help employers start a

drug-free workplace program.

- . Call CSAP's Workplace Helpline at 1-800-WORKPLACE.

WHAT BELONGS IN A POLICY?

Whether you create your own policy or decide to adopt all or part of someone else's, a successful policy will include the following:



A Rationale

The reason for the policy

What it is designed to do

How it was developed

Expectations and Prohibitions

The employee behaviors that are expected

Exactly what substances and behaviors are prohibited

Consequences and Appeals

Precisely what will happen if an employee violates the policy

Procedures for determining if an employee has violated the policy.

How appeals will be handled

Benefits and Assurances

Efforts to help employees comply with the policy

How requests for help will be handled

How employee confidentiality will be protected

How fairness and consistency will be maintained

SHOULD YOU INVITE OTHERS TO HELP?

It pays to involve employees and others in developing the policy. Employers continually find that when employees have been consulted about a new policy and believe their voices have been heard, they are more likely to cooperate. Some employers set up a task force or employee group to help develop their policy. Others solicit broad

review and comment before adopting a policy. When employees are represented by a union, the policy may be an issue for collective bargaining. Union representatives can offer ideas and programs that will make the policy operate more smoothly.

BEFORE YOU PUT A POLICY IN PLACE

It's always advisable to have a draft of a new drug-free workplace policy, reviewed by an attorney experienced in labor and employment matters. Implementing the policy will have implications for the job security of employees with alcohol or other

drug problems. Given the potential consequences of violating the policy, legal review is critical. Legal review is also important because of the growing and ever-changing body of laws and regulations about drugs in the workplace.